REMARKS

Reconsideration and withdrawal of the objections to and rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1-8 are pending. Claims 1-6 are amended, without prejudice.

No new matter is added by these amendments.

It is submitted that these claims are patentably distinct from the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. The amendments and remarks herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112; but rather the amendments and remarks are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. OBJECTIONS TO THE DRAWINGS

The drawings were objected to under 37 C.F.R. §1.83(a), the Examiner alleging that the first display means and the contents data lack representation therein. Applicant disagrees. The first display means and the contents data are indicated throughout the Figures. The Examiner is respectfully directed to, for example, Figure 8.

Consequently, reconsideration and withdrawal of the objections to the drawings are respectfully requested.

III. 35 U.S.C. §112, FIRST PARAGRAPH, REJECTION

Claims 1-8 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement. Although Applicant disagrees with the Examiner's allegations, the amendments to the claims render the rejection moot.

The Examiner is invited to review *In re Wands*, 8 U.S.P.Q. 2d 1400, 1404 (Fed. Cir. 1988), wherein the Federal Circuit stated at 1404 that:

> Enablement is not precluded by the necessity for some experimentation such as routine screening. However, experimentation needed to practice the invention must not be undue experimentation. 'The key word is undue, not experimentation.' The determination of what constitutes undue experimentation in a given case requires the application of standard of reasonableness, having due regard for the nature of the invention and the state of the art. The test is not merely quantitative, since a considerable amount of experimentation is permissible, if it is merely routine, or if the specification in question provides a reasonable amount of guidance with respect to the direction in which the experimentation should proceed[.]

[Citations omitted].

Against this background, determining whether undue experimentation is required to practice a claimed invention turns on weighing the factors summarized in *In re Wands*. These factors include, for example, (1) the quantity of experimentation necessary; (2) the amount of direction or guidance presented; (3) the presence or absence of working examples of the invention; (4) the nature of the invention; (5) the state of the prior art; (6) the relative skill of those in the art; (7) the predictability or unpredictability of the art; and (8) the breadth of the claims; all of which must be taken into account.

Thus, applying *Wands*, the following, *inter alia*, is clear: the quantity of experimentation necessary to practice the invention is low; the amount of guidance in the specification is high; the nature of the invention is <u>not</u> such that "an inordinate amount of experimentation" is required;

the relative skill of those in the art is high; the art is predictable; and the breadth of the claims is narrow. Thus, and contrary to the allegations in the Office Action, undue experimentation would not be necessary to practice the instantly claimed invention.

Consequently, reconsideration and withdrawal of the Section 112, first paragraph, rejection are respectfully requested.

IV. 35 U.S.C. §112, FIRST PARAGRAPH, REJECTION

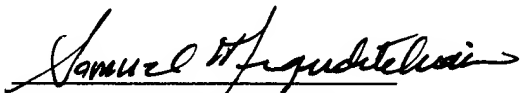
Claims 2 and 3 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. The Examiner alleges that the suffixes in claims 2 and 3 are vague. Although Applicant disagrees, as the suffixes are art-recognized terms, the amendments to the claims render the rejection moot.

Consequently, reconsideration and withdrawal of the Section 112, second paragraph, rejection are respectfully requested.

CONCLUSION

By this Amendment, claims 1-8 should be allowed; and this application is in condition for allowance. Favorable reconsideration of the application, withdrawal of the rejections, and prompt issuance of the Notice of Allowance are, therefore, all earnestly solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: 

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